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46320 7590 04/15/2008 CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP STEVEN M. GREENBERG 950 PENINSULA CORPORATE CIRCLE SUITE 3020 BOCA RATON, FL 33487				
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/632,178
Filing Date: July 31, 2003
Appellant(s): KATAOKA, KATSUHISA

Scott D. Paul
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 19 February 2008 appealing from the Office action mailed 17 September 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is substantially correct. The changes are as follows: in addition to the claim rejections

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identified in the brief, claims 32 and 33 were rejected under 35 U.S.C. 103 based upon Ayyagari et al. (US 7,020,681 B1) in view of Patel (US 2002/0107881 A1).

WITHDRAWN REJECTIONS

The following grounds of rejection are not presented for review on appeal because they have been withdrawn by the examiner. Rejections of claims 20, 26 and 32 under 35 U.S.C. 112, second paragraph.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 7020681 B1	Ayyagari et al.	3-2006
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US 20020107881 A1	Patel	8-2002
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Coulouris et al., "Distributed Systems, Concepts and Design," Second Edition, Addison-Wesley, 1994; pages 222-233.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 19 – 21, 25 – 27 and 31 – 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayyagari et al. (US 7,020,681 B1; hereinafter Ayyagari) in view of Patel (US 2002/0107881 A1).

As to claim 19, Ayyagari teaches an interface apparatus for a first structured document, comprising:

- a first processor for

- receiving a processing request from an application program, as a processing requester, for a first structured document (col. 4 lines 50 – 67), and
 - performing a lexical analysis of the first structured document (col. 1 line 55 – col. 2 lines 4, 26 – 60; col. 4 lines 50 – 67);

- store means for

- associating the information with the first structured document (col. 4 lines 50 – 67),

- storing the information into a cache (col. 4 lines 50 – 67); and
 - first notification means for notifying the application program of the information related to the structured document in order from the information in the cache, upon the information being in the cache with respect to the structured document prior to the processing request being received (col. 4 lines 50 – 67).

Ayyagari teaches processing XML documents (col. 4 lines 50 – 67), but fails to specifically teach series of events and event set information. However, Patel teaches

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the series of events and event set information associated with processing XML documents (§ 35). It would have been obvious to one of ordinary skill in the art at the time Applicant's invention was made to combine these teachings because Ayyagari teaches processing XML documents and Patel teaches what is involved in processing XML documents.

As to claim 20, combination of Ayyagari and Patel teaches:

a second processor for performing a lexical analysis of a second structured document having information not in the cache (col. 1 line 55 – col. 2 lines 4, 26 – 60; col. 4 lines 50 – 67; col. 6 lines 1 – 28);

second notification means for notifying a second application program as a processing requester of information relating to the second structured document in order, wherein

the store means associates the information, notified to the second application program by the second notification means as the information, with the second structured document to storing the information into a cache (col. 4 lines 50 – 67).

See the rejection of claim 19 regarding series of events and event set information.

As to claim 21, combination of Ayyagari and Patel teaches an interface apparatus for a structured document, comprising:

second processing means for reading the information of the cache with respect to the structured document and notifying the application program of the information (col. 4 lines 50 – 67); and

control means for checking whether or not the information relating to the structured document is in the cache to delegate the processing of the structured document to the first processing means upon the information not being in the cache, or to the second processing means upon the information being in the cache (col. 4 lines 50 – 67).

See the rejection of claim 19 regarding series of events and event set information. See the rejections of claims 19 and 20 regarding limitations not specifically addressed in this rejection.

As to claims 25 – 27 and 31 – 33, see the rejection of claims 19 – 21.

Claims 22 – 24, 28 – 30 and 34 – 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayyagari in view of Patel as applied to claims 21, 27 and 33 above, and further in view of Coulouris (see PTO-892 mailed 23 March 2007).

As to claim 22, combination of Ayyagari and Patel teaches the control means judges presence/absence of the event set information of the structured document in the cache, and judges that there is the event set information in the cache with respect to the structured document when the event set information relating to a structured document having the same file name as that of the structured document exists in the cache (Ayyagari: col. 4 lines 1 – 27, 50 – 67; Patel: ¶ 35).

Ayyagari fails to specifically teach the condition of when the event set information relates to a structured document before update of the existing structured document. However, Coulouris teaches validating cached data (page 231 “Client caching”). It would have been obvious to one of ordinary skill in the art at the time Applicant's invention was made to combine these teachings because Ayyagari teaches using caches and Coulouris teaches details about caching.

As to claim 23, Ayyagari teaches the control means is a parser notified from the application program of a request of the structured document by URL (col. 4 lines 50 – 67), making it obvious to use a URI.

As to claim 24, Ayyagari teaches the first and second processing means are mounted in corresponding parsers and the control means is mounted in the application program (col. 4 lines 50 – 67; col. 5 line 59 – col. 6 line 28).

As to claims 28 – 30 and 34 – 36, see the rejection of claim 22 – 24.

(10) Response to Argument

Appellant argues the references fail to teach storing and retrieving event set information in a cache as claimed. Examiner respectfully disagrees. Ayyagari is relied upon to teach storing and retrieving processed documents in a cache. For example, Ayyagari teaches:

If the document is an unprocessed XML document, the proxy server is further adapted to search a local cache for a processed version of the document, and to transmit the processed document to the requesting client.

(From the abstract.) Although Ayyagari fails to specifically teach processing the documents involves event set information as claimed, Ayyagari does teach processing the documents with a structure described by self-defining tags, which at least suggests processing the documents involves performing lexical analysis of the documents by teaching:

An XML document is composed of data embedded within markup tags. These tags are similar to those used in HTML, except that the XML tags may be self-defined. In other words, XML tags define the internal structure of the embedded data.

(col. 1 line 64 – col. 2 line 2) A lexical analysis of the documents is performed to obtain the data and determine its meaning using the self-defined tags.

Ayyagari does teach the use of stylesheets, but does not state the processing of the documents or use of stylesheets does not involve event set information. Simply because both references teach use of stylesheets and one reference is silent with respect to event set information does not necessarily mean the combination of references fails to teach event set information as claimed. Patel is relied upon to provide greater detail as to what can be involved in processing a document. Specifically, Patel teaches obtaining event set information by processing the documents by teaching:

The use of the SAX compliment interface 32 provides the parser 30 with an event based interface. As such, the SAX interface 32 utilizes DTD 62 and a markup language document 60 to breakdown the internal structure of the markup language document 60 into a series of linear events.

(From ¶0035) Therefore, the combination of references teaches performing a lexical analysis of the document to obtain event set information, which is stored in, and can be retrieved from, a cache as claimed.

Appellant further argues that there is no motivation to combine the teachings. Examiner respectfully disagrees. Ayyagari teaches caching data resulting from processing documents (see citation above). Patel provides greater detail as to what actions are performed when processing such documents. Therefore, one of ordinary skill in the art at the time Appellant's invention was made would have been motivated to use the document processing techniques taught by Patel to process documents when implementing the teachings of Ayyagari.

Regarding claim 21, Appellant initially argues Examiner failed to address all limitations of the claim. However, the rejection of claim 21 refers to the rejections of claims 19 and 20 regarding limitations not specifically addressed in the rejection of claim 21 (see ¶11 on page 6 of Office Action mailed 17 September 2007).

Appellant further argues the references do not teach separate means for performing the recited functionality. Examiner respectfully disagrees. It would have been apparent to one of ordinary skill in the art that the functionality described by the references can be implemented in software and/or hardware. The various sections of software and/or hardware implementing specific portions of the functionality make up the separate means for performing the recited functionality. It is not clear if Appellant is attempting to invoke 35 U.S.C. 112, sixth paragraph, or what structure is being claimed if the means for language is invoking 35 U.S.C. 112, sixth paragraph.

Arguments regarding other claims appear to rely on arguments that have been addressed above.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

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Respectfully submitted,

Nathan Price, Art Unit 2194

/N. P./

Examiner, Art Unit 2194

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